

A&S COMMUNICATIONS

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SECNAV/CON FOIA Office

Chief of Naval Operations (DNS-36)

2000 Navy Pentagon

Washington, DC, 20350-2000

Dept Of the Navy (CPNAV) PA/FOIA Policy Office

Freedom Of Information/Privacy Act Request

Date Received: 10/14/14 Statutory due date: 11/12/14

DON PA/FOIA/consult Tracking Number: 2015-000294

Acknowledgement date: 11/10/14

To the FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request the following:

- All radiological data, known as measured air concentration data, collected on the U.S. Navy vessel USS Ronald Reagan, an aircraft carrier, for the days March 12-21, 2011. This should include the readings taken by portable air samplers as well as air particle detectors, as part of the routine operations of this nuclear-powered vessel. According to reports by the Defense Threat Reduction Agency, those readings occurred hourly during that time period. The data you provide should be in the same format as the data provided in <https://registry.csd.disa.mil/registryWeb/docs/registry/optom/DTRA-TR-12-041.pdf>, Appendix H-8, pages 137-142. That document is the DTRA report estimating exposures to fleet-based members of the U.S. military during Operation Tomodachi. Additionally, we request the portable air sample data that was taken on the Reagan during the same time period, as part of additional air sampling conducted because of the nature of the radiological events in Japan at that time.
- The position coordinates for the USS Ronald Reagan for the period March 12-21. These should be in at least four-hour increments, according to the DTRA study. This data is referenced graphically, but not included in that DTRA study on fleet-based exposures.
- All radiological data, known as measured air concentration data, collected on the U.S. Navy vessel USS George Washington, an aircraft carrier, for the days March 12-21, 2011. This should include all readings taken by portable air samplers as well as air particle detectors, as part of the routine operations of this nuclear-powered vessel. These should be hourly, at least.

- The position coordinates for the USS George Washington for the period March 12-21, 2011. It is our understanding that the vessel was in port at Yokosuka, Japan, for this period. If it did not change location, a single set of coordinates and an affirmation that they are the same throughout the period will suffice.
- All radiological data, known as measured air concentration data, collected on the Navy facility known as Barge Y-95 based in Yokosuka, Japan, for the days March 12-21, 2011. This should include all readings taken by portable air samplers as well as air particle detectors.
- All radiological data, known as measured air concentration data, collected by U.S. Navy vessels in Japan, or within 200 nautical miles of Japan, for the days March 12-21, 2011. This should include all readings taken by portable air samplers as well as air particle detectors. The data should include identification of the vessel, where the samples were taken on the vessel, all radiological-related data and information, as well as coordinates for locations of the vessel at all times relevant.

A&S Communications is a media production company based in Redondo Beach, California, owned and operated by citizens of the United States of America that has been in business for more than 30 years. It has been engaged in producing and researching documentaries and news stories for broadcast and other media and has a contract to use the data requested for in this letter for production of a news program for the largest television network in Japan. That network expects more than 10 million viewers for the program to be made, and in addition, it broadcasts its programming throughout the world, available virtually everywhere in North America, as well as other continents.

As this request is made for reporting the news, no fees may be assessed for searching or reviewing documents sought by this request, and no duplication fees should be charged to A&S for the first 100 pages of material (see 5 U.S.C. § 552(a)(4)(A)(ii)(II)). A&S hereby consents to pay duplication charges up to a total of, but not to exceed, \$200. We would prefer electronic transmission and receipt of the data sought, in Excel or compatible format, if possible, similar to the other data that is contained in the "Operation Tomodachi" registry Web site. If duplication charges and paper records are deemed to be the only, best or cheapest way to respond to this request, we would ask that we be notified if there is a charge in excess of \$200.

As you know, the Act permits you to reduce or waive the fees entirely when the release of information is considered as "primarily benefitting the public." I believe that this request, which is made to enable the creation of a news program, is to great public benefit. It will inform people in the United States, people in Japan, and elsewhere, so that they might better understand the facts related to the disasters in Japan and its nuclear power plants, the actions of their governments, and the actual exposure of people to radiological materials as a result of the disasters. Therefore I would ask that you waive any fees.

If all or any part of this request is denied, please cite the specific exemption(s) that you think justify your decision. In that event, please inform me of your agency's administrative appeal procedures available to me under the law.

We believe that since data of this exact type and description has already been disclosed for a portion of the time period requested, on the "Operation Tomodachi Registry" Website, that there should be no claims of exemption. But should you deem otherwise, and to the extent that you affirm, in whole or in part, the denial of disclosure, we ask that you provide us with a list describing with specificity the names and categories of documents that have been withheld, and explain the grounds for the withholding (please see *Vaughn v. Rosen*, 484 F.2nd 820 (D.C. Cir. 1973)).

I would appreciate your handling this request as soon as possible, and I look forward to hearing from you, including a reply within 20 business days, as required by statute.

Any responses should be sent to this address. E-mail response is appropriate as a substitute:

Bob Evans

A&S Communications

193 West Queens Drive

Williamsburg, VA 23185

Bobevans52@cox.net

Please let me know if you or anyone else have any questions so that this request can be fulfilled completely and accurately.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Evans', with a stylized flourish at the end.

Bob Evans

A&S Communications

757-564-6331